

No.15-17/2003-YS.II  
Government of India  
Ministry of Youth Affairs and Sports

राज. जी. एम. धाई. मोन. जी. RAJIV GANDHI NATIONAL INSTITUTE OF YOUTH DEVELOPMENT 20 SEP 2004 By Speed Post श्रीपेरुम्बुदुर/श्रीपेरुम्बुदुर-602105 प्राप्ति सं/Receipt No. 3722
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.....  
New Delhi, the 8<sup>th</sup> September, 2004.

To,

The Director,  
Rajiv Gandhi National Institute of Youth Development,  
Bheemanthangal,  
Sriperumbudur -602105 (TN).

Sub:- XVII EC meeting held on 9.8.2004 – Draft Minutes submitted for approval –  
regarding.

Sir,

I am directed to refer to your D.O. No.RG/F&A/358/04 dated 9.8.04 on the  
above subject and to say that the minutes of the aforesaid meeting have been approved  
by the Hon'ble Minister of Youth Affairs and Sports in his capacity as President of the  
Executive Council of the RGNIYD. The copy of the same in original is sent herewith  
for further necessary action at your end.

Yours faithfully,

(R.P. Arneja)

Deputy Secretary to the Govt. of India  
Tel: 23389791

Encl: As above.

MINUTES OF THE XVII EXECUTIVE COUNCIL MEETING OF  
RGNIYD HELD ON 09<sup>TH</sup> AUGUST, 2004 AT 11.00 AM AT THE CHAMBER OF  
THE HON'BLE MINISTER FOR YOUTH AFFAIRS AND SPORTS,  
GOVERNMENT OF INDIA, SHASTRI BHAWAN, NEW DELHI 110 001.

MEMBERS PRESENT

1. Shri Sunil Dutt  
Hon'ble Minister for  
Youth Affairs & Sports cum President of EC,
2. Smt. Meenaxi Anand Chaudhry,  
Secretary,  
Ministry of Youth Affairs & Sports,  
cum Vice President of EC,
3. Shri G. K. Vasan, M.P
4. Shri R. Sellamuthu,  
Director, RGNIYD
5. Smt. Vandana K. Jena,  
Joint Secretary  
Ministry of Youth Affairs & Sports,  
Government of India.
6. Shri Harbhajan Singh,  
Financial Adviser,  
Ministry of Youth Affairs & Sports,  
Government of India.
7. Shri H.S. Kingra,  
Programme Adviser, NSS,  
Ministry of Youth Affairs & Sports,  
Government of India.
8. Shri Dulichand Jain
9. Shri S.V. Roopchandrar.

Members who sought leave of absence

1. Shri Mani Shankar Aiyar Hon'ble Minister for Petroleum and Natural Gas
2. Smt. Jayanthi Natarajan.



Also present as special invitees

1. Shri R.K. Misra,  
Joint Secretary (Sports) & CVO of the Ministry,  
Ministry of Youth Affairs & Sports,  
Government of India.
2. Shri Vijay Kumar Gautam,  
PS to Hon'ble Minister for YA&S.

The President-cum-Hon'ble Minister for Youth Affairs & Sports, chaired the meeting.

The Director, RGNIYD welcomed the members of the Executive Council and thereafter the agenda items were taken up for detailed discussions and decisions taken as indicated hereunder:

Item No.I Confirmation of the Minutes of the 16<sup>th</sup> Executive Council Meeting.

The Minutes of the XVI Executive Council Meeting were confirmed.

Item No.II Action taken on the minutes of the XVI Executive Council Meeting

The Director explained the action taken on the Minutes of the earlier Executive Council Meetings.

a) Construction Work

The Director briefed about the efforts made to push forward the construction work and to get over the stalemate prevailing for more than 5 years. The committee of officers set up by the then Working President-cum-Hon'ble Minister of State to consider the issue of resumption of construction work met at RGNIYD and held detailed discussions. The committee also inspected the works in detail and took note of the defects/deficiencies and the delay in the completion of the work. The Committee has also submitted its report to the Secretary on 09.08.2004, which has since been circulated to the members in the meeting.

b) Sanction of Additional Posts

Detailed proposals have been sent to the Ministry for creation of additional posts and they are under active consideration of the Ministry.



c) **Construction of Auditorium**

Regarding the construction of an Auditorium in RGNIYD premises at an estimated cost of Rs.2,06,54,000 sanction of the competent authority has been accorded for the construction of an Auditorium at RGNIYD premises and an initial instalment of Rs.1.00 crore has been deposited with the CPWD. Work has to be commenced during September, 2004.

d) **Setting up of the Centre for Governance for Development.**

The concept paper and the details are being worked out.

In view of the proposed five divisions in the Institute including the division for Panchayati Raj & Youth Affairs, it was decided that this center need not be set up.

**ITEM NO. III CREATION OF ADDITIONAL POSTS INCLUDING**  
**PRESCRIPTION OF QUALIFICATIONS**

The Secretary-cum-Vice President underscored that the Institute must have the full complement of staff for the creation of the following divisions:

1. Division for Training, Orientation and Extension.
2. Division for Research, Evaluation and Documentation/Publication
3. Division for Panchayati Raj & Youth Affairs
4. International Centre for Excellence in Youth Development
5. National Value and Social Harmony
6. Administrative Division.

The Director apprised the EC of the lack of adequate staff at the Senior Grade as well as at the Junior Grade for more than a decade and pleaded for the sanction of adequate posts for all the six divisions.

The Secretary emphasized that the Institute must be provided with the staff required as early as possible so that the Institute will be able to fulfill the mandated aims and objectives in full measure mentioned that the matter is under the active consideration of the Ministry in consultation with the Ministry of Finance.

Shri G.K. Vasan, MP made a strong plea that the Institute which had been neglected, should be provided with all the facilities and the Faculty Members, so that it would acquire its due status of the premier Institute at the National Level.

Taking note of the views expressed in the Meeting, the EC resolved that all the 38 additional posts given in the Agenda for the six divisions should be sanctioned and strongly recommended to the Ministry that RGNIYD should be given all the facilities in terms of staff and infrastructure to ensure its effective functioning.

**ITEM NO.IV ANNUAL REPORT**

The Annual Report along with the Audited Statements for the year 2003-2004 was approved.

**ITEM NO.V INTRODUCTION OF GPF SCHEME TO THE RGNIYD STAFF MEMBERS**

The EC deferred.

**ITEM NO.VI Construction of Auditorium – Status Report and Plan of action.**

The EC endorsed the circular resolution and resolved that the construction work of the Auditorium must be completed as per the time schedule, preferably within one year.

**ITEM NO.VII CONSTRUCTION OF THE BUILDING**

The Director explained that the construction work did not make any progress as the construction agency was insisting on the acceptance of their original claim of extension of time with the full benefit of cost escalation. He added that their claim was very unreasonable and hence the deadlock could not be resolved. He gave a detailed account of the request of the construction agency for the appointment of an Arbitrator and

the original petition filed by the contractor in the Hon'ble High Court of Madras seeking the appointment of the Arbitrator by the High Court.

The Secretary explained in clear terms that the construction agency had delayed the work without any justification and the defects and deficiencies in the construction works should be duly taken note of. She also explained the implications of the penal provisions in the agreement, claims of RGNIYD like liquidated damages and claims for cost escalation when the work could be executed at the risk and cost of the original contractor.

The EC deliberated in depth the various aspects of the construction work and took due note of the case filed by the contractor. The report of the committee of officers was explained by the Joint Secretary (Youth Affairs).

Keeping in view the various Clauses of the Agreement entered into with M/s Saravana Construction Agency, the EC felt that RGNIYD should also make counter claims against the contractor for the incompleteness of the work, dead investment of more than 6 crores that had gone into the buildings which are not used on account of incompleteness, the defects, non-provision of facilities in the rooms etc.

On careful analysis of all the aspects and factors relating to the construction work, the EC expressed the view that the present stalemate should not be allowed to continue anymore and took the following decisions.

- 1) The contract with M/s Saravana Constructions (P) Ltd., should be rescinded/terminated immediately.
- 2) The arbitrator should be appointed by RGNIYD at the earliest. The EC authorized the Honourable Minister to select the arbitrator for this purpose.
- 3) The contractor should be instructed to remove his materials and hand over the building in the present state to RGNIYD so that the works may be got executed and the defects/deficiencies rectified by some other agency at the risk and cost of M/s Saravana Constructions (P) Ltd.,
- 4) The following claims should be made by RGNIYD before the Arbitrator



- (a) The claim of Rs.10 lakhs on account of the delay (clause 2).
  - (b) The claim of Rs.10 lakhs on account of the non-rectification of the defects/deficiencies in the buildings (clause 3 & 14).
  - (c) A Minimum claim of Rs.15 lakhs in respect of the dining hall-cum-recreation center, Kitchen Complex and Electrical Panel Room where reconstruction is required, which have to be reconstructed after pulling down the existing structure which is unstable and unfit for use subject to the actual amount required (clause 3 & 14).
  - (d) A minimum claim of Rs.15 lakhs arising out of getting the balance works completed and the defects/deficiencies rectified by some other agency at the risk and cost of M/s Saravana Constructions (P) Ltd., subject to the actual amount required (clause 3 & 14)
  - (e) The claim arising out of the loss due to the investment of about Rs.6 Crores, which has, gone into the incomplete buildings which are in this state for more than 4 years. The claims may be based on the interest at the rate of 10% for more than 4 years.
  - (f) The claim of liquidated damages since the Institute has not been able to fulfill its functions for want of facilities. It should be taken as the amount of interest at the rate of 10% on the 75% budget of RGNIYD for the programmes for which one crore is provided every year.
- 5) The architect should be instructed to take measurements, assess the extent of the incomplete work and give the details in terms of the agreement on termination of the contract.
- 6) The CPWD should be entrusted with the task of completing the construction work and rectifying the defects and deficiencies for putting buildings into use.

#### The court case

It was decided that the court case must be contested effectively.

#### Decisions regarding materials/equipment lying in RGNIYD

It was decided that the equipment and other materials and the incomplete buildings, which are in the custody of the contractor, should be taken possession of and put to use, following the usual procedure.



In case the Contractor does not cooperate, a Committee may be formed with the local Magistrate to take possession of these items now under lock and key of the Contractor, to make an inventory and to record its findings on the present conditions of these items.

ITEM No. VIII      GETTING ADDITIONAL LAND FOR RGNIYD

It was decided to get from the Government of Tamil Nadu atleast 40 acres of land from the adjacent lake area.

The meeting concluded with a vote of thanks to the Chair.

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*[Signature]*  
10/9/2004  
Dir, RGNIYD